

New Zealand Open Government Partnership Expert Advisory Panel Terms of Reference (September 2018)

Background

The Open Government Partnership (OGP) is a forum of countries working to make their governments more open, accountable and responsive to citizens. Established in 2011, the forum today comprises nations committed to increasing the availability of information about governmental activities, supporting civic participation in government decision-making and policy formulation, implementing the highest standards of professional integrity throughout government, and increasing access to new technologies for openness and accountability.

OGP aims to promote ambitious open government reforms that stretch the government beyond its current state of practice, significantly improving the status quo by strengthening transparency, accountability, and public participation in government.

Countries may choose to initiate new open government initiatives in their action plans or improve upon ongoing reforms. Countries are encouraged to show clear improvement from action plan to action plan.

Countries should ensure that each commitment included in the action plan is clearly advancing one or more of the following open government values:

- Transparency
- Accountability
- Public Participation
- Technology and Innovation.

Countries are required to develop a National Action Plan every two years that sets out commitments to address a minimum of two of the OGP's five "grand challenges".

These are:

- improving public services
- increasing public integrity
- more effectively managing public resources
- creating safer communities
- increasing corporate accountability.

A new National Action Plan has been developed in 2018.

Countries are required to have a multi-stakeholder forum that participates in the development and implementation of National Action Plans. In New Zealand, the EAP fulfils that function.

Mandate and objectives of the EAP

The EAP will assist with development, implementation and evaluation of the commitments in New Zealand's National Action Plans by providing constructive advice, communicating openly and involving other stakeholders.

These objectives will be achieved by:

- providing timely advice on progress with New Zealand's OGP activities to inform the mid-term and end-of-term self-assessment reports to the OGP
- providing advice on engagement with stakeholders, including the public and public authorities, to raise awareness of, and promote, the OGP, New Zealand's commitments, and how the values and principles of OGP can help improve public services, increase public integrity and more effectively manage public resources
- shaping how we assess our OGP contribution and how we report on it
- participating in stakeholder and engagement events
- considering independent review reports and their impact on future action plans
- at the request of the SSC, advising the SSC on other matters relating to open government from time to time.

Panel members

The State Services Commissioner will appoint EAP members. The term of appointment will be not more than three years. The Commissioner will consider the makeup and renewal of the EAP following any advice he may receive from the EAP and SSC officials.

Candidates for the EAP should be able to demonstrate an understanding of:

- open government in the New Zealand context
- OGP and what New Zealand's membership entails
- programme design, delivery and evaluation
- public engagement and how it can be used effectively to develop and improve policy design, delivery and evaluation.

Fees

Daily fees have been assessed in accordance with Cabinet Office Circular (12)6. The EAP falls within Group 4 ('All other committees and other bodies') and has been scored at 15 (level 3). In addition, members will be reimbursed for actual and reasonable travel, meal and accommodation costs. There is further detail in Appendix B.

Chairperson

The State Services Commissioner or his designated lead will chair the panel and will designate a deputy chair.

Secretariat

Secretariat services for the EAP will be provided by the SSC.

Accountability/Reporting

The EAP will be accountable for providing expert advice about OGP National Action Plan development and delivery to the State Services Commissioner.

The Terms of Reference, agenda, minutes and all papers of the EAP (and any working groups) will be published on the OGP website at <http://ogp.org.nz/open-government-partnership/expert-advisory-panel/>.

The agenda and papers for EAP meetings will be circulated to members in advance of each meeting. We will circulate draft minutes of EAP meetings to panel members, and publish final minutes online following approval by the panel.

Media

All media statements on behalf of the panel will be made by the Chair, who, where possible, will consult with the panel.

Members of the public will be able to provide comment and/or raise queries to the EAP through a dedicated OGP mailbox at ogpnz@ssc.govt.nz. The Secretariat will manage this account and share feedback with the panel.

Meetings

Meetings of the EAP will be held quarterly except when a National Action Plan is being developed when meetings may be held monthly. Meetings will be held in Wellington. Meetings will have a quorum of three.

Appendix A: Role descriptions

Member position	Roles and accountabilities
Chair	<ul style="list-style-type: none"> • run the meeting efficiently • encourage and model open communication where all members contribute effectively • work with the panel on regular review of the panel's activities • sign off the minutes • act as spokesperson for the Expert Advisory Panel, representing its views and recommendations in the media and elsewhere • represent the panel in any meetings with the State Services Commissioner, the Minister of State Services and any other Ministers
All EAP members	<ul style="list-style-type: none"> • be prepared for meetings • provide constructive feedback on ways to develop and deliver on New Zealand's obligations under OGP • maintain a broad knowledge of the issues and interests that relate to the operations of the EAP • engage with New Zealanders to support engagement and participation in OGP processes.
Secretariat	<ul style="list-style-type: none"> • administration, support and promotion of the panel, preparing agendas, recording meeting minutes and following up on actions • work with the agencies that lead the commitments in the NAP, and facilitate any communication and/or engagement between those agencies' stakeholders and the EAP.

Appendix B: Fees and expenses

You are entitled to be reimbursed for your travel and meal costs for your involvement in the Open Government Partnership Expert Advisory Panel meetings. You are also entitled to a daily fee of \$336 based on Cabinet Office Circular (12)6.

For each formal EAP meeting attended, members are entitled to invoice fees for:

- **meeting preparation** - all group members are entitled to invoice a half-day fee for reviewing papers and considering group matters; and
- **meeting attendance** - members living in Wellington may invoice a half-day fee for attendance; members living elsewhere may invoice a full day fee to compensate for travel time to and from Wellington.

Tax treatment of fees

You should also be aware of the tax treatment of fees. The Goods and Services Tax Act 1985 stipulates that withholding tax will be deducted unless the member's fees are charged by a company or a partnership.

If you do not want withholding tax to be deducted, please send us an exemption certificate which you can request from the IRD.

If you do not hold an exemption certificate, withholding tax will be deducted. This is deductible at 48% unless you complete an IR330, in which case it can be deducted at 33%.

If you invoice through a company structure, withholding tax does not need to be deducted.

Reimbursement for expenses

Reimbursement for reasonable expenses will be paid to members for itemised GST receipts. Reasonable expenses would include, for example, travel, accommodation, taxis, or phone calls incurred in your role as a member. Members should include these expenses on their monthly invoice with their fees, and ensure all receipts are attached.